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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,435	11/08/2001	John Lin	BP 1906	3043
51472	7590	06/29/2005	EXAMINER	
GARLICK HARRISON & MARKISON LLP P.O. BOX 160727 AUSTIN, TX 78716-0727			YUN, EUGENE	
			ART UNIT	PAPER NUMBER
			2682	

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/007,435	LIN, JOHN
Examiner	Art Unit	
Eugene Yun	2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) 1-16 is/are withdrawn from consideration.
- 5) Claim(s) 31 and 32 is/are allowed.
- 6) Claim(s) 17-25,28 and 29 is/are rejected.
- 7) Claim(s) 26,27 and 30 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 08 November 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____.   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

**DETAILED ACTION**

***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-16, drawn to a baseband controller, classified in class 375, subclass 219.
  - II. Claims 17-32, drawn to Bluetooth microsequencer circuitry, classified in class 455, subclass 41.2.
2. Inventions I and II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the combination does not state specific functions of the microsequencer circuitry as the subcombination does. The subcombination has separate utility such as temporary data storage circuitry including registers of different size.
3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
4. During a telephone conversation with James Harrison on 6/22/2005 a provisional election was made without traverse to prosecute the invention of group II, claims 17-32.

Affirmation of this election must be made by applicant in replying to this Office action.

Claims 1-16 are withdrawn from further consideration by the examiner, 37

CFR 1.142(b), as being drawn to a non-elected invention.

***Specification***

5. The abstract of the disclosure is objected to because the abstract is over 150 words. Correction is required. See MPEP § 608.01(b).

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 17-21 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Watanabe (US 6,731,939).

Referring to Claim 17, Watanabe teaches a microsequencer for use as a real-time Bluetooth baseband controller, comprising:

- timer circuitry (fig. 6);
- temporary data storage circuitry 54 (fig. 1); and
- a plurality of Bluetooth and native clocks for supporting timing functionality according to Bluetooth specifications (see col. 6, lines 25-28).

Referring to Claim 18, Watanabe also teaches a externally driven Bluetooth clock (see col. 8, lines 7-12).

Referring to Claim 19, Watanabe also teaches a native Bluetooth clock (see col. 6, lines 25-28).

Referring to Claim 20, Watanabe also teaches a real-time clock (see col. 8, lines 28-35).

Referring to Claim 21, Watanabe also teaches a native real-time clock (see col. 6, lines 25-28).

Referring to Claim 23, Watanabe also teaches a 48-bit storage register (see col. 6, lines 10-15).

#### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe in view of Schmidl et al. (US 6,839,325).

Referring to Claim 22, Watanabe does not teach a 64-bit storage register. Schmidl teaches a 64-bit storage register (see col. 13, lines 30-43). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Schmidl to said device of Watanabe in order to expand the capabilities of the storage register.

Referring to Claim 24, Schmidl also teaches a 32-bit storage register (see col. 13, lines 30-43).

10. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe in view of Ukita et al. (US 6,373,791).

Referring to Claim 25, Watanabe does not teach a 16-bit storage register. Ukita teaches a 16-bit storage register (see col. 6, lines 61-64). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Schmidl to said device of Watanabe in order to expand the capabilities of the storage register.

11. Claims 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe in view of Benjaram et al. (US 5,131,015).

Referring to Claim 28, Watanabe does not teach at least four timers. Benjaram teaches at least four timers (see col. 5, lines 4-12). Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Benjaram to said device of Watanabe in order to ensure faster processing of data.

Referring to Claim 28, Benjaram also teaches at least eight timers (see col. 5, lines 4-12).

***Allowable Subject Matter***

12. Claims 26, 27, and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding Claim 26, Watanabe, Benjaram, Ukita, and Schmidl do not teach, alone nor in combination, the temporary data storage circuitry including a 64-bit register, a 48-bit register, a 32-bit register, and a 16-bit register.

Regarding Claim 27, Watanabe, Benjaram, Ukita, and Schmidl do not teach, alone nor in combination, the temporary data storage circuitry including registers of different size and further wherein the microsequencer includes a data storage logic module, which data storage logic module determines which available register should be used for storing data based upon the size of the data that is to be temporarily stored.

13. Claims 31 and 32 are allowed.

Regarding Claim 31, Watanabe, Benjaram, Ukita, and Schmidl do not teach, alone nor in combination, a 64-bit storage register, a 48-bit storage register, a 32-bit

storage register, a 16-bit storage register, and data storage logic circuitry for determining which of the temporary storage registers is to store a piece of data that is to be temporarily stored in a microsequencer for use as a real-time Bluetooth baseband controller.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (571) 272-7860. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EY



NICK CORSARO  
PRIMARY EXAMINER

Eugene Yun  
Examiner  
Art Unit 2682